

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

VOLKSWAGEN AG, VOLKSWAGEN OF AMERICA,
INC. and BUGATTI INTERNATIONAL, S.A.

Plaintiffs,

V.

THE BUGATTI, INC.

Defendant.

CIVIL ACTION
NO. 05-11067 PBS

WITHDRAWAL OF APPEARANCE OF DAVID M. MAGEE
AS COUNSEL FOR DEFENDANT THE BUGATTI INC.

Please withdraw the appearance of David M. Magee and the firm of Bingham McCutchen LLP as counsel for defendant The Bugatti, Inc. (“Bugatti”). Upon information and belief, the firm of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo P.C. has entered an appearance as successor counsel for Bugatti.

The requirements of Local Rule 83.5.2 are satisfied in that there are no motions pending before the court; no trial date has been set; and no hearings or conferences are scheduled, and no reports, written or oral, are due.

Dated: Boston, Massachusetts
October 21, 2005

THE BUGATTI, INC.,

By its attorneys,

/s/ David M. Magee .

David M. Magee, BBO #652399
BINGHAM McCUTCHEN LLP
150 Federal Street
Boston, Massachusetts 02110
Tel: (617) 951-8000

*Attorneys for Plaintiff
The Bugatti, Inc.*

CERTIFICATE OF SERVICE

The undersigned hereby affirms that the foregoing paper was electronically filed the with the Clerk of the Court using the ECF system and that he personally caused copies to be served upon the following attorneys of record:

Susan B. Flohr
Michael D. White
BLANK ROME LLP
600 New Hampshire Avenue, NW
Washington, DC 20037

David A Brown
Margaret H. Paget
SHERIN AND LODGEN LLP
101 Federal Street
Boston, Massachusetts 02110

by email and United State Postal Service on the 21st day of October 2005.

Respectfully submitted,

THE BUGATTI, INC.

By its attorneys,

/s/ David M. Magee.
David M. Magee, BBO #652399
BINGHAM McCUTCHEN LLP
150 Federal Street
Boston, Massachusetts 02110
Tel: (617) 951-8000
Fax: (617) 951-8736